

DEPARTMENT OF GENERAL SERVICES DOWNTOWN LOCATION LAW GUIDLINES STATEMENT OF POLICY (REVISED)

Introduction

Act 32 of 2000, the "Downtown Location Law" was designed to facilitate the revitalization of traditional central and neighborhood business districts throughout the Commonwealth. The Department of General Services has the responsibility to establish guidelines to encourage State agencies to locate in downtown areas. Further, the Department has the authority to take all measures necessary to ensure the goals of this legislation are met. It is expected that the manner of fulfilling this responsibility will be sensible, understandable and compatible with current patterns of operation.

State agencies should lead by example by considering locating office facilities to a downtown area. The following guidelines will provide guidance to the various state agencies in implementing Act 32.

1. Functional Use

The Department of General Services policy, as it relates to the type of lease space or functional use of a facility, will be as follows:

- (a) All "Office" space needed to accommodate employees or Agency function is to be considered covered by ACT 32.
- (b) PA Liquor stores, PA State Police Barracks, warehouse space, and DCNR facilities are excluded.
- (c) The Department will evaluate all other uses on a case-by-case basis.

2. Location of Facilities

The Department of General Services policy is to encourage agencies to locate in downtown locations where feasible. The Department shall accept the designation of downtown areas as follows:

- (1) The central business district of a city, borough, incorporated town or township, the central business district is typically a contiguous area within the core of a municipality identifiable factors including, but not limited to, a recognizable sense of place, a pedestrian orientation, a rectilinear street grid, and a historic significance. A city may have more than one central business district, which has historically served as a hub of economic, social, and/or civic activity.
- (2) In cities of the first class, the entire geographic area of the city.

Agencies when setting the parameters for the desired facility location should consider the following:

- 1) The requirements of the agency.
- 2) Servicing clientele needs.
- 3) Local economic considerations.

- 4) The availability of suitable space in a downtown area.
- 5) Competitiveness in the marketplace.
- 6) Cost to the Commonwealth
- 7) Safety to persons using the office facility.
- 8) The availability of public transportation
- 9) Establishing a preference or requirement for a downtown location.

As part of the Department of General Services effort all advertisements for new "Office" space will contain the phrase "Downtown locations will be considered".

3. New "Office" Facilities

The Department of General Services' policy for construction of new "Office" facilities requires the Agency scope of work to evaluate the following:

- (1) Consider the rehabilitation, reuse, or both, of existing structures within a downtown area. Consideration may include reasonable efforts to:
 - (i) Rehabilitate or rebuild the structure's façade, if appropriate, in a way that maintains the architectural integrity of the building and the streetscape according to the United States Secretary of the Interior's standards for rehabilitation in Federal regulations.
 - (ii) Ensure that the structure meets the requirements of the Americans with Disabilities Act of 1990 (Public Law 101-336, 104 Stat. 327) in a manner that respects the architectural integrity of the building.
- (2) Consider new construction on available land within a downtown area. Consideration may include reasonable efforts to:
 - (i) Have the scale and façade of the new structure maintain the architectural integrity of the existing streetscape.
 - (ii) Ensure that the structure meets the requirements of the Americans with Disabilities Act of 1990 in a manner that respects the architectural integrity of the neighboring building.

4. Solicitation Requirements

- (1) Any solicitation requirements that DGS determines, in its discretion, have no overriding operational necessity and act as a deterrent to locating to downtown locations will be prohibited.
- (2) The BRE will, from time to time, promulgate instructions re the implementation of these guidelines by memorandum.